

**HAMPTON PLANNING BOARD
WORK SESSION MINUTES
March 24, 2004**

PRESENT: Robert Viviano, Chairman

Fran McMahon, Alternate

Tracy Emerick

Tom Gillick

Tom Higgins

Keith Lessard

Ken Sakurai

Jim Workman, Selectman's Representative

Jennifer Kimball, Town Planner

Mr. Viviano called the meeting to order at 7:00 p.m. and turns the meeting over to Mrs. Kimball.

I. DISCUSSION OF SCHOOL IMPACT FEES:

Mrs. Kimball introduced Mr. Mayberry. Mr. Mayberry gave a brief overview of his report "Methodology for the Assessment of Public School Impact Fees" updated January 2004 and what factors were considered in creating this report. Mrs. Kimball noted this report is on file at the Planning Office. Mrs. Kimball explained the standard fees on Page 1 of the report are used to offset the Town's cost/share of School costs for future growth. Mr. Lessard asked how future growth was determined. Mr. Mayberry explained the methodology and referred to Table 1, Page 5 and stated the values are given by School District based on building size. There was Board discussion on how the fees could be used. Mr. Mayberry stated there is a test that will provide calculations on capacity for future growth.

Mr. Sakurai joins the Board at this time.

Mr. Gillick stated Mr. Mayberry's recommendations are based on what has been tested in the courts and he is confident these reports are accurate. Mr. Gillick recommended the Board concentrate on how to move forward to bring a presentation to the Town. Mr. Higgins questioned how the fees are given to the Schools. Mrs. Kimball explained the Finance Director, Dawna Duhamel would review all State Laws and monitor appropriately. Mr. Viviano asked how the fees are applied for a Co-op School District (i.e. includes 4 Towns). Mr. Mayberry stated the impact fees for Hampton are specifically for Hampton and are based on Hampton's liabilities. Mr. Mayberry suggested thinking of it as a Capital Fund. There was Board discussion on the Co-op School District.

Mr. Higgins asked what is the process for adoption and amending. Mrs. Kimball stated the Planning Board would adopt it after a Public Hearing. Mr. Viviano asked what the procedures for adoption are. Mrs. Kimball stated: set a Public Hearing; vote to approve adoption; Town enforces. There was Board discussion on seasonal units and waiver process regarding who has to pay fees, etc... Mrs. Kimball stated all new developments after adoption will have to pay fees, but can apply for a waiver before the Planning Board.

There was considerable discussion on structure types versus ownership and confusion over 2 unit (duplex) and town house (only 2 units). Mrs. Kimball stated a condominium was a form of ownership not a structure type and the Building Inspector would uniformly apply fees. Mr. Mayberry stated based on 30 years of consensus data all of this information was considered in the methodology.

Mr. Sakurai suggested concerns with per unit versus per bedroom where the goal of the Town is to reduce impact, and instead of building a single-family residence with one bedroom (no family), there would be no penalty for building single family residences with many bedrooms.

Mr. Higgins shows that the definition on page 22 uses the term “condex” which is suggesting condominiums. There was more Board discussion on duplexes vs. townhouses. Mr. Higgins suggested changing the definition of townhouse with reference to ‘condex’ to ‘2-unit’. There was Board consensus that this would clarify the matter.

Mr. Gillick suggests Mr. Viviano request Town Attorney Gearreald to comment on his comfortability of the study.

Mr. Mayberry stated there was a typing error on Page 23 and the word ‘creates’ should be deleted. There was Board discussion regarding the future date for the Public Hearing. Mrs. Kimball suggested April 28, 2004 and she would secure the meeting room. Mr. Viviano asked Mr. Mayberry to be in attendance. Mr. Mayberry agreed.

II. ATTENDING TO BE HEARD:

1. WCV, Inc.
Discussion of Approval Conditions for
9-11, 17 & 19 K Street
12-unit Condominium Building

Attorney Craig Salomon and Mr. Phil Serowik introduced themselves. Attorney Salomon proceeded to explain the applicant’s need to discuss the Board’s condition(s) for upgrading the storm sewer (approx. 260 linear feet). WCV, Inc. would like to pay 80% of the cost (number to be finalized with Department of Public Works Director, John Hangen) because some of the existing units will tie in. Additionally, Attorney Salomon stated, the project around the corner of K Street and Ocean Boulevard previously asked the Board to work with the applicant for reimbursement. Mr. Viviano stated that the drainage was a big concern about 1 ½ years ago and suggested three options to the Board: Mr. Serowik could develop his site as approved; wait until infrastructures is upgraded by Town (or whomever); come back to the Board as a new Public Hearing. Mr. Lessard clarified that the applicant suggested to upgrade the stormwater pipe due to the existing drainage problems, and in order for the applicant to proceed with development he will have to install the upgrade, based on the way the Board approved the project. Mr. Lessard questioned why the applicant is asking for money from the Town now. Attorney Salomon stated that decision was based on the Land/Vest Properties, Inc. case and that it is in everyone’s benefit based on the existing drainage problems. Mr. Serowik asked the Board just consider asking future development to pay their fair share after he upgrades the lines. Mr. Gillick stated that this is an innovative approach, but it is a slippery slope and he does not agree with the concept. Mr. Serowik stated that he is willing to move forward with his project as previously approved. The Board thanked Mr. Serowik for being a catalyst for redevelopment at the beach.

III. OTHER BUSINESS:

None.

Mr. Emerick **MOTIONED** to adjourn. Mr. Sakurai **SECONDED**. **VOTE: All. MOTION PASSES UNANIMOUSLY IN THE AFFIRMATIVE.**

Meeting adjourned at 8:50 p.m.

Respectfully Submitted,
Janine L. Fortini
Planning Board Secretary